

# Border Regions' instrument for development and growth (BRIDGEforEU)

2018/0198(COD) - 29/05/2018 - Legislative proposal

**PURPOSE:** to create a mechanism to resolve legal and administrative obstacles in a cross-border context.

**PROPOSED ACT:** Regulation of the European Parliament and of the Council.

**ROLE OF THE EUROPEAN PARLIAMENT:** the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

**BACKGROUND:** since 1990, programmes under the 'European territorial cooperation' objective, better known as '**Interreg**', have supported cross-border cooperation programmes in EU border regions, including those with EFTA countries. Thousands of projects and initiatives that have helped to improve European integration have been funded.

In recent decades, the European integration process has helped internal border regions to transform themselves from mainly peripheral areas into areas of growth and opportunities.

However, the evidence gathered by the Commission shows that, in general, **border regions generally perform less well economically than other regions** within a Member State. Access to public services such as hospitals and universities is generally lower in border regions. Navigating between different administrative and legal systems is often still complex and costly. These programmes alone can hardly compensate for these differences.

In its [Communication](#) of 20 September 2017 on EU border regions, the Commission highlighted ways in which the EU and its Member States can reduce the complexity, length and costs of cross-border interaction and promoted the pooling of services along internal borders.

In 2015, the Luxembourg Presidency and several Member States studied the possibility of **creating a new instrument to simplify cross-border projects** by making it possible, on a voluntary basis and agreed by the competent authorities in charge, for the rules of one Member State to apply in the neighbouring Member State. This would apply to a specific project or action limited in time, located within a border region and initiated by local and/or regional public authorities. The Commission supports this idea and therefore proposes a voluntary mechanism to address legal obstacles in border regions.

**IMPACT ASSESSMENT:** the Commission considers that a voluntary mechanism to remove legal and administrative obstacles in all border regions would provide a cost-free legal framework in order to reduce the costs and time to complete certain cross-border projects. If 20% of existing legal and administrative obstacles found along internal borders were addressed, border regions would increase their GDP by 2%.

**CONTENT:** the proposal for a Regulation sets up a **mechanism** to allow for the application in one Member State, with regard to a cross-border region, of the legal provisions from another Member State, where the application of the legal provisions of the former would constitute a legal obstacle hampering the implementation of a joint project.

**Characteristics of the mechanism:** the mechanism shall consist of the conclusion of a European Cross-border Commitment, which is self-executing, or a European Cross-border Statement which requires a further legislative procedure in the Member State.

The mechanism shall:

- **remain voluntary:** Member States may opt for the mechanism or use other effective mechanisms to resolve legal border barriers;
- **focus on intra-EU land borders**, while allowing Member States to also apply the mechanism to maritime and external borders;
- **cover joint projects** for any item of infrastructure with impact in a cross-border region or any service of general economic interest provided in a cross-border region.

Member States opting for the Mechanism set up under the proposed Regulation are obliged to establish a national or, in the case of federal states, regional **Cross-border Coordination Points**.

**Procedure:** the procedure for concluding a commitment or statement consists in:

- the preparation and submission of the initiative document, to be drafted by the ‘initiator’ (for example, the public or private body responsible for initiating or both initiating and implementing a joint project or one or more local or regional authority located in a given cross-border region or exercising public power in that cross-border region);
- a preliminary analysis by the Member State which is requested to ‘pull over the border’ the legal provisions of the neighbouring Member State;
- the drafting of the Commitment or Statement to be concluded;
- and finally the conclusion of the Commitment or Statement and its signing by the competent authorities of both Member States.

**Implementation:** the **Commitment** is implemented by, where relevant, amending existing administrative acts based on the ‘normally’ applicable law or adopting new administrative acts based on the law ‘pulled over the border’.

The **Statement** must be implemented by one or more submissions of proposals to the competent legislative body in order to amend the national law to cover the necessary derogations.

In both cases, once all steps planned are implemented, the Cross-border Coordination Point must inform its counterpart in the other Member State and the EU coordination point.